

**PREPARED AND SUBMITTED BY:**

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Attorneys for Third-Party Defendant Ashley Miron Leshem

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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**CAPANA SWISS ADVISORS AG, a Swiss  
corporation; and AMERIMARK  
AUTOMOTIVE AG, a Swiss corporation,**

**Plaintiffs,**

**v.**

**RYMARK, INC., a Utah corporation;  
NICHOLAS THAYNE MARKOSIAN, an  
individual; JOHN KIRKLAND, an  
individual; and VICKY SMALL, an  
individual,**

**Defendants.**

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**RYMARK, INC., a Utah corporation; and  
NICHOLAS THAYNE MARKOSIAN, an  
individual,**

**Counterclaim Plaintiffs,**

**v.**

**CAPANA SWISS ADVISORS AG, a Swiss  
corporation; and AMERIMARK  
AUTOMOTIVE AG, a Swiss corporation.**

**Counterclaim Defendants.**

**ORDER GRANTING STIPULATED  
MOTION FOR EXTENSION OF TIME  
FOR THIRD-PARTY DEFENDANT  
ASHLEY MIRON LESHEM TO  
RESPOND TO THIRD-PARTY  
COMPLAINT**

**Case No. 2:23-cv-00467-TS-CMR**

**District Judge Ted Stewart**

**Magistrate Judge Cecilia M. Romero**

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**RYMARK, INC., a Utah corporation; and  
NICHOLAS THAYNE MARKOSIAN, an  
individual,**

**Third-Party Plaintiffs,**

**v.**

**SHAEN BERNHARDT, an individual;  
ASHLEY MIRON LESHEM, an  
individual; DAVID HESTERMAN, an  
individual; NICOLAI COLSHORN, an  
individual; STEFAN KAMMERLANDER,  
an individual; ALEXANDER COENEN,  
an individual; MARTIN FASSER HEEG,  
an individual; AMERIMARK GROUP  
AG, a Swiss corporation; and  
PHILOMAXCAP AG, a German  
corporation,**

**Third-Party Defendants.**

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This matter is before the Court on the Stipulated Motion to Extend Time for Third-Party Defendant Ashley Miron Leshem to Respond to Third-Party Complaint. Based on the motion and good cause shown, the Court hereby ORDERS as follows:

1. The Stipulated Motion to Extend Time for Third-Party Defendant Ashley Miron Leshem to Respond to Third-Party Complaint is GRANTED.

2. Leshem shall file his response to the Third-Party Complaint (Dkt. 139) on or before February 27, 2025.

**APPROVED AS TO FORM:**

**KUNZLER BEAN & ADAMSON**

/s/ Stephen Richards

*(Signed with permission via February 11, 2025 email)*

Robert P. Harrington

Stephen Richards

Taylor J. Smith

Chad S. Pehrson

*Attorneys for Third-Party Plaintiffs Rymark, Inc. and  
Nicholas Thayne Markosian*

DATED this \_\_\_\_\_ day of February, 2025.

**BY THE COURT:**

Honorable Cecilia M. Romero

*Magistrate Judge*